

**From:** fkrogh@mathalacarte.com@inetgw  
**To:** Microsoft ATR  
**Date:** 12/9/01 10:06pm  
**Subject:** Microsoft Settlement

I'd like to add my name to those who are extremely disappointed in the settlement agreement that has been made with Microsoft. It seems to me that there has no punishment at all for acts that Microsoft has been found guilty of, and have damaged a good many companies, and more importantly computer users at large. For a monopoly has the effect of limiting choice. In the case of Microsoft this has also had the effect of making the security of our national computing infrastructure much less than it might be.

There are many things that might have been done to address the damages done by Microsoft, but two come to mind:

1. They have been found guilty and have profited greatly from their misdeeds. So about a a fine that reflects the extent of their profits from this. I'm sure the government can use the money, and some clear signal should be sent that misdeeds are punished.
2. The so called api's may be thought of by Microsoft as valuable intellectual property. But they are no such thing. They are valuable only because of Microsoft's monopoly position. The same is true of the file formats that are used. As a monopoly that is to be punished for monopoly behavior Microsoft should be required to make these interfaces and file formats public for all current products and all future products for at least 5 years. A hefty fine should be automatic if any Microsoft product is found to use an interface of file format that has not been publicly documented. Note that we do not believe that Microsoft source code falls in the same category. It is valuable because of the job it does, and would be valuable even for a company that was not in a monopoly position.

Sincerely,  
Dr. Fred T. Krogh  
fkrogh@mathalacarte.com